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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,763	12/21/2004	Harad Syse	P18237 USPC	4969
29078	7590	09/14/2005	EXAMINER	
CHRISTIAN D. ABEL ONSAGERS AS POSTBOKS 6963 ST. OLAVS PLASS NORWAY, N-0130 NORWAY			BRINSON, PATRICK F	
			ART UNIT	PAPER NUMBER
			3754	
DATE MAILED: 09/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/518,763

Applicant(s)

SYSE, HARAD

Examiner

Patrick F. Brinson

Art Unit

3754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/10/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter recited in claim 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Claim 5 recites the a slip front (20) extending in parallel with a slip end (16), but that is not shown in the figures. Elements (20 and 16) are not extended in parallel.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted

by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,732,762 to **Russell**.

The patent to **Russell** discloses a plug for sealing liquid or gas carrying pipes comprising several slips (40) arranged peripherally on the plug so as to allow

them to be pushed up along a conical force ring (20) by means of a hydraulic cylinder. The slips, as well as the conical force ring, are provided with a divided sliding surfaces (42, 21) and at least one divided front having an angle relative to the longitudinal axis of the plug that differs from the angle of the sliding surface relative, as recited in claim 1. Col. 7, lines 50-56, discloses that when the conical force ring (20) is shifted from either position that permits full slip retraction or full slip extension, the frusto-conical transitional surfaces of both the latch slips and the conical force ring serve as wedging ramps to guide and/or compel the slips to move radially outward. The front and sliding surfaces of the slips have a shape that in a given position of the slips corresponds to the front and sliding surfaces of the conical ring, as recited in claim 4. The sliding surfaces of the slips and the conical ring are divided by slip recesses. The side that faces the same way as the slip front forms a step front with the same direction as the slip front, as recited in claim 5. Likewise the conical force ring has sliding surfaces that are divided by a force ring recess, wherein the side that faces the same way as the force ring front forms a step front with the same direction as the force ring front.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Russell** in view of 3,943,982 to **Lecordier**.

The patent to **Russell** disclose the fronts as having a steep gradient relative to the longitudinal axis of the longitudinal axis of the plug, but the sliding surfaces are parallel to the longitudinal axis and thus do not have a small gradient. The patent to **Lecordier** discloses a pipeline plug device including slips (7) that include a front surface of a steep gradient and a sliding surface having a smaller gradient. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the slips of **Russell** to include the sliding surfaces with a small gradient in relation to the longitudinal axis of the plug, as suggested by **Lecordier** in order to produce a slip that can have a small axial displacement, thereby reducing the length of the plug which is desirable for small diameter plugs.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Fern et al., Adkins et al., Kelly, Wittman et al. '104 and '477, Anderson, Ritchie et al., Ver Nooy, Reaux, Savard, and Adams are pertinent to Applicant's invention in disclosing pipeline plugs having sliding surfaces that fit against the inside surface of the pipe.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Patrick F. Brinson** whose telephone number is (571) 272-4897. The examiner can normally be reached on M-F 7:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Y. Mar** can be reached on (571) 272-4906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/518,763  
Art Unit: 3754

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A handwritten signature in black ink that reads "Patrick F. Brinson". The signature is written in a cursive style with a large, stylized "P" and "B".

Patrick F. Brinson  
Primary Examiner  
Art Unit 3754

P. F. Brinson  
September 9, 2005